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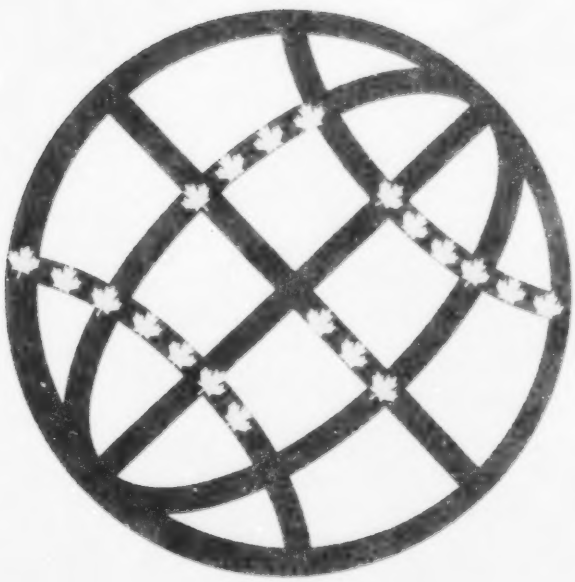

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INTERNATIONAL FIRE/SMALL ARMS CONTROL - FINDING THE COMMON GROUND

-Draft for discussion-

Spring 1998

Wendy Cukier
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International Fire/Small Arms Control: Finding the Common Ground
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Although the twin problems of controlling firearms and small arms have been traditionally approached from two distinct tracks, there are important linkages between these seemingly separate efforts which lead to a comprehensive analytical and policy framework. More specifically, this framework draws from the public health perspective according to which the context in which death and injuries occur from firearms and small arms is disregarded. Instead, access to firearms and small arms is identified to be at the root of conflicts and violence at all societal levels, without discriminating among domestic violence, civil wars, and international conflicts. Firearms and small arms can be accessed and used in a variety of threatening situations by way of the misuse of legally-acquired firearms, the illegal transfer of legal firearms, and the illicit manufacturing and trafficking of firearms. As a result, the problem of conflict and violence can be addressed in part by reducing access to firearms and small arms through the international co-ordination of supply-side controls of these weapons and ammunition. Such controls would include the following: common standards regarding domestic regulation and international transfers, transparency, greater standardisation of import and export controls. These controls may be carried out in tandem with other approaches to control the use of firearms and small arms, in particular peacebuilding strategies which target the demand for firearms and small arms. At the same time, issues of sovereignty and civil rights are exploited by opponents of efforts to control firearms and small arms and require responses.

Policy Recommendations:
- a Canadian strategy can arise from this recognition of linkages between domestic and international efforts to control firearms and small arms and, thereby, pursue international agreements that include:

data collection and sharing (surveillance, compliance);
target root causes of violence to reduce demand for firearms/small arms;
control the supply of arms;
deterrence/enforcement;
implementation (establish roles and coordinate work of relevant departments, promote information sharing and coordination of efforts).

Draft for Discussion

International Fire/Small Arms Control - Finding the Common Ground

Background Paper for the Canadian Centre for Foreign Policy

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1. INTRODUCTION

Discussions of international "gun control" and "small arms control" tend to run on parallel tracks despite significant commonalties. Historically, domestic crime prevention experts, police and governments have been interested in international aspects of firearms controls insofar as they affect domestic interests, for example, by fueling the illegal gun trade or by presenting models of what works and what does not work. International small arms control experts have recognized the strong link between peace-building and preventing the proliferation of firearms, but tend to focus on the issues related to controlling small arms in conflict or post conflict contexts. Research, education and advocacy efforts related to firearms control and small arms control have, for the most part, remained separate. Despite differences in orientation, in language and, sometimes, in values, there is much to be gained by sharing information and coordinating foreign policy in these areas.

The links between movements to improve domestic controls on firearms - "gun control" - and international effort to promote peace and disarmament - "small arms control" have been obvious to many of the groups involved in the process. For example, in formulating its policy on domestic gun control, the United Church of Canada simply extended its international policy:

- prohibit weapons/ammunition that serve no legitimate purpose (e.g.. ban military weapon sales to civilians)
- control access to other weapons (individuals and countries which are not an unacceptable risk)
- track their movements from manufacture, import/export, sale and use (transparency)

The church's efforts to counter the culture of violence and promote positive values also applied equally well on the national and international scenes[1]

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[1] Dr. Bonnie Greene, United Church of Canada to The Honorable Kim Campbell, Correspondence, July 17, 1991 "We believe that many of the same principles that Canada has been pursuing in the international arena can be applied in controlling the spread of weapons of force within Canadian society. Therefore, we support these practical steps for reducing the risk that the availability of weapons poses to Canadians:

1/A ban in trade and possession of weapons for which citizens have no legitimate need (i.e.. assault weapons)
2/Restrictions on trade in and possession of weapons for which citizens claim legitimate need (such as those with large cartridges, semi-automatics)
3/ A federal gun registry (proposals for the international arms trade registry would be worth examining for a model)

This paper is an effort to point out some of the striking links between the two and to suggest an analytical and policy framework which can encompass both.

- the overarching goal is to reduce gun death, injury and crime. The public health perspective which does not consider the context of the injury may be the broadest and most useful in this regard.

- the means to address the problem include addressing the root causes of conflict and violence through social and economic development and values building, controlling access to the supply of firearms through licensing, embargoes, tracing and tracking and enforcement interventions including policing and enforcement.

- both assume links between the availability of firearms and the lethality of conflict

- in both cases the supply of firearms may be legally acquired weapons which are used for illegitimate purposes; legal weapons which are sold or stolen for illegal/illegitimate purposes, and the illegally manufactured and traded weapons

- both recognize that laws, regulations and conventions are merely words on paper if significant resources are not devoted to effective implementation.

Other measures to reduce primary demand such as socio-economic development and values building are key. Measures aimed at removing unwanted, unneeded weapons from circulation (such as amnesties and buy backs), are used in both contexts.

In both arenas there are strong and significant vested interests who oppose efforts to strengthen controls. They cite the economic value of the gun trade. They argue that ineffectiveness of firearm and small arms controls. They even attempt to link between firearms and "freedom" and, in some cases, advocate arming for self protection as means of improving safety.

In both contexts, the culture of violence is an issue. So is gender: fire/small arms are used

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4/ Licensing of people allowed to purchase, possess and use guns with the restrictions and regulations at least as stringent as those required for securing a license to use a motor vehicle

..... In this particular debate the right of Canadians to security from violence needs to take priority over the claims of some to the right of individuals to bear arms..."

primarily by men although the victims are often women. Definitions of expertise - arms experts - often exclude women from the discussion.

In both cases a successful effort requires realistic goals supported by broadly-based groups, horizontal and vertical linkages, different strategies for different contexts and regions, more information and scientific research and dissemination, documenting and putting a face on the victimization, increasing public awareness and ensuring women are included.

Language, discipline and orientation have sometimes been barriers - disarmament has a weapons banning connotation anathema to gun control activists working to establish controls while allowing legitimate gun owners. Defining "legitimate purposes and owners" in the international context is often problematic in the face of gross human rights violations by police, military and governments.

Although there are striking regional differences and the extent of the problem varies considerably as do the sources of weapons and the appropriate solutions, this framework does provide a way of seeing domestic gun control and international disarmament as different parts of the same elephant.

2. THE PROBLEM OF FIREARMS AND SMALL ARMS

Freedom from fear is recognized as a fundamental human right. While the context is critical to developing appropriate solutions, a public health perspective focuses on preventing death and injury regardless of how the context is constructed - conflict, homicide, suicide, unintentional injury, crime.

Guns are used to kill in virtually every country in the world. In a recent study conducted by the United National Commission on Crime Prevention and Criminal Justice, 30 countries reported a total of more than 200,000 firearm deaths.[2]

Table 1: INTERNATIONAL FIREARMS REGULATIONS, ACCESS AND DEATHS[3]

Country	Licensing of Owners?	Registration of all Firearms?	Other	House-holds with firearms (%)	Gun Hom-icide (per mil.)	Gun Suicide (per mil.)
Japan	Yes	Yes	Prohibits handguns with few exceptions	0.6	0.3	0.36
Nether-lands	Yes	Yes		1.9	2.7	2.8
United Kingdom	Yes	Yes	Prohibits handguns	4.0	1.3	3.3
Northern Ireland	Yes	Yes		8.4	35.5	11.8
Germany	Yes	Yes		8.9	2.1	12.3
Spain	Yes	Yes	some handguns and rifles are prohibited	13.1	1.9	5.5
Australia	Yes	all guns in 5 of 8 states until 1997 when national standards began	Banned semiautomatics unless good reason is shown	16.0	5.6	23.8

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2 United Nations, International Study on Firearm Regulation (revised),1997 table 6.2, 7.1

3 Rates of Households with Firearm and Firearms Deaths for most countries are from the United Nations, International Study on Firearm Regulation (revised),1997 tables 2.7, 6.2 and 7.1. Rates for the Netherlands, Northern Ireland, Belgium, France, Switzerland and Norway, which did not respond to the UN survey are from Martin Killias, op.cit.. who cites 1989 figures from UN interregional study. Details regarding legislation are from various sources including: the UN study as well as Joachim J. Savelsberg, in "International Perspectives on Gun Control" in New York Law School: Journal of Ifiternational and Comparative Law, 15, 2&3, 1995: Wendy Cukier, Bill C-68: Brief to the Senate Committee on Legal and Constitutional Affairs, Toronto, 1995; Canada Department of Justice. A Review of Firearms Statistics and Regulations in Selected Countries, April 1995.

Country	Licensing of Owners?	Registration of all Firearms?	Other	House-holds with firearms (%)	Gun Hom-icide (per mil.)	Gun Suicide (per mil.)
Belgium	Yes	Yes	some rifles are prohibited	16.6	8.7	24.5
New Zealand	Yes	Handguns only, stopped registering rifles and shotguns in 1983 and have proposed reintroducing it		20	2.2	24.5
Brazil				NR	250.8	4.4
South Africa				5.0	266.3	na
Jamaica				NA	182.3	3.6
France	Yes	Yes, except for selected sporting rifles		22.6	5.5	49.3
Canada	Acquisition only, possession starts 1998	Handguns only, all guns as of 1998	Fully automatic, converted and semi-automatic assault weapons and some handguns	26	6.0	33.5
Switzer-land	Acquisition for some	For some firearms		27.2	4.6	57.4
Norway	Yes	unknown		32	3.6	38.7
USA	in some states	Handguns in some states	Some weapons in some states	41	62.4	72.3
Finland	Yes	Yes	No prohibitions	50	8.7	57.8

Note: in Brazil 88% of homicides occur with a firearm compared to 69% in the USA, 58% in Jamaica and 41% in South Africa.

In the context of crime and injury prevention, firearms include handguns, rifles and shotguns and military weapons. In the context of conflict, "small arms" include firearms along with other weapons for personal use.[4] In the domestic context, regulation of firearms is generally discussed under the banner of "gun control" while controls on weapons used in the context of war or conflict are discussed under labels of "disarmament" or small arms control. However, regardless of the constructs, the labels and the context, global efforts to prevent crime, promote public health and

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[4] Pericles Gasparini Alves and Daiana Belinda Cipollone, " The Need to Reinforce Efforts to Fight Against illicit Trafficking: An Introduction, United National Institute for Disarmament Research, Geneva, 1997. They distinguish Small arms from light weapons which would include heavy machine guns, anti-aircraft guns, etc. Still the definitions vary by context.

establish peace aim to prevent gun death, injury and misuse.

Global problems with firearms vary by region and country. Even within countries there are significant differences according to region, gender, age and other factors which, in turn, affect the shape of the appropriate solutions. In some contexts, for example, children are particularly at risk.

While data collection on criminal misuse of firearms and firearms death and injury is incomplete, the data regarding armed conflicts is even more fragmented.[5] Moreover, the deaths in armed conflicts are not typically differentiated according to the instrument of death as they are in other contexts. A recent study claimed that in most conflicts underway, light weapons (handguns, rifles, shotguns, mortars and other small arms) are the overwhelming cause of both civilian and combat deaths.[6] Often the data regarding these deaths is less detailed in terms of the profile of victims. Nevertheless, a large number are civilians.

It is estimated that above the military weapons for police and civilian use there may be as many as 500 million accounting for as many as 90% of the deaths in armed conflict.[7] In countries as dissimilar as the US and Mozambique, there are as many arms as people".[8]

It may be possible to "map" the priorities in a given region according to the circumstances in which the firearms death occurs and such "mapping" is relevant to establishing priorities and devising appropriate solutions. (See Figure 1) For example, in South Africa, crime and conflict are virtually inseparable, in Brazil and the United States, murder is a priority, in Canada it is suicide and in Finland, perhaps it is unintentional injuries of children. However, the instrument of death, the firearm is the common element. Priorities may be shaped not just according to the relative severity of the problem but the realistic expectation of effective intervention. Beyond a certain point, reducing the supply of weapons become very difficult.

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5 Project Ploughshares, Armed Conflicts, Report 1996, Institute of Peace and Conflict Studies, 1996. Ruth Leger Sivard with Arlette Brauer, Lora Lumpe and Paul Walker, World Military and Social Expenditures, Washington, 1996.

6 cited in Chris Smith, The impact of light weapons on security: A case study of South Asia, in Military Expenditure, Production and Trade, 1994.

7 Michael Renner, Small Arms Big Impact: The Next Challenge of Disarmament, Worldwatch Paper, October 1997

8 Ibid.

Table 2: Deaths by context/group

	Children/ youth	Women	Men	All
Conflict				
Homicide	USA			South Africa Brazil
Suicide	Canada		Switzerland	
Unintentional Injury	Finland USA			Brazil
Other Crimes				USA South Africa Russia Japan

3. PERSPECTIVES ON PREVENTION

Peace building, public health and crime prevention all have models for intervention. Interventions which address the root causes of violence, conflict and injury include social development and value building. Once crime, injury or conflict occur, there is recognition of the need to intervene with policing, enforcement, and "treatment". Controls on firearms and small arms are the intermediate step - the reduction of the opportunity for violence or conflict and the reduction of the severity of violent encounters by controlling the supply of firearms. While it is possible to kill with other means, firearms are particularly efficient and are more likely to cause death, severe injuries and multiple victims. In addition, firearms enable children who might otherwise lack the strength to kill more readily. The focus on controlling the instrument of violence, injury or death is a well-established public health approach. The measures proposed to prevent crime and conflict involving firearms contain many common elements (see Table 3).

Although, in general, industrialized countries tend to be focused on crime while developing countries may be focused on conflict and peacebuilding, the two are often inseparable. For example, of the many challenges facing post apartheid South Africa, violent crime is seen as the greatest. A recent poll indicated 46% of residents considered violent crime a major problem compared to 18% who cited unemployment. The crime rate is high compared to international standards but approximates the rate in the United States, France or Norway. It is not the rate of crime but the accompanying violence that is most striking: the murder rate is 10 times the international average and increased more than 87% between 1987 and 1994.[9] The violence is fueled by access to firearms: 41% of murders involve firearms.[10]

According to BASIC, Africa has become the epicenter of intrastate conflict. In addition to violence these conflicts often entail other lasting consequences such as the breakdown of civil order and dramatic increases in lawlessness, banditry and illicit drug trafficking.[11]

Not only is the process of peacebuilding analogous to crime prevention and health promotion in many ways but it is also directly linked to them. The reinstatement of social and political

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[9] John Stremlau, A House No Longer Divided, A Report of the Carnegie Commission on Preventing Deadly Conflict, July 1997.

[10] Surprisingly, Stremlau does not make any reference to the problem of guns in South Africa. It is an issue that has been raised repeatedly in other contexts. See for example, Saferworld Virginia Gamba ISS http://africa.cis.co.za

[11] BASIC, Africa: The Challenge of Light Weapons Destruction During Peacekeeping Operations, December 1997.

institutions in a post conflict scenario can be a very difficult situation but requires the construction of fair, credible and effective criminal justice institutions. The building anew of criminal justice institutions is usually urgent because the state is expected to be able to put an end to impunity and to provide some public safety. When it fails to do so the state is quickly discredited and a power vacuum is created which offers fertile grounds for organized crime, corruption and various other forms of transnational criminality. Therefore the reconstruction of social institutions specifically the implementation of a criminal justice and law enforcement's structure is essential to sustainable peace.[12] The establishment of security, social justice and human development, effective democracy, transparency and the rule of law are essential. However, the balance between liberty and safety is always tenuous and requires local solutions to local problems.

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12 Yvon Dandurand, "Peacebuilding and Criminal Justice: Assisting Transitions from Power to Authority" in Restorative Justice Issues, Centre for Foreign Policy, March 31, 1997.

4. THE ACCESSIBILITY THESIS

Public health, crime prevention and peacebuilding experts have explicitly or implicitly supported that accessibility hypothesis - that access to firearms increases the lethality of conflicts and may even precipitate some impulsive violent acts.

However, there is also a fundamental recognition that controls on the supply of guns - the instruments of crime, injury or conflict - can reduce the lethality of confrontations. The accessibility thesis has been proposed in both the context of domestic and international controls. While the issue is hotly debated, often on political grounds, many researchers have maintained that there is sufficient evidence to conclude that rates of firearms death and injury are linked to access to firearms.[13] Access to firearms may be defined in a number of ways including: the percentage of

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[13] A.L. Kellerman, R.K. Lee, J.A. Mercey, J. Banton, The epidemiological basis for the prevention of firearms injuries, Annu Rev Public Health 1991; 12: 17-40. Thomas Gabor, The Impact of the Availability of Firearms on Violent Crime, Suicide, and Accidental Death, Department of Justice, 1994. Although the evidence suggests that domestic controls on firearms have a significant impact the absence of controls in other jurisdictions creates problems worldwide. Most of the firearms recovered in crime in Canada, for example, are rifles and shotguns not smuggled handguns. Most of the firearms used to kill in Canada are rifles and shotguns. The rate with which handguns are used in Canada in homicide, suicide and unintentional deaths is far lower than in the United States but handguns are more commonly used in murders in large cities while rifles and shotguns are more commonly used in smaller and more rural areas. Despite Canada's strict domestic controls on firearms, many of the handguns used in crime and to kill are smuggled in from countries with less rigorous controls, notably the United States. Even in Japan, fully 30% of the firearms used in crime originate in the USA. Within the United States where firearms control is a state responsibility, there is some evidence that guns tend to flow from unregulated areas to more regulated areas. Firearms Smuggling Work Group, The Illegal Movement of Firearms in Canada: Report of the Firearms Smuggling Working Group, Ottawa: Justice Canada, 1995.

[13] Kwing Hung, op. cit.

[13] The use of handguns in homicides in more common in large urban areas. Since 1991, handguns were responsible for three-quarters of all firearm homicides in Toronto, Montreal and Vancouver - Canada's largest Census Metropolitan Areas (CMA). Conversely, in smaller non-CMA areas with populations under 100,000, rifles and shotguns were most prevalent in firearm homicides (62%). Tracey Leesti, Weapons and Violent Crime, Canadian Centre for Justice Statistics, 1997 Vol.17 (7).

[13] Firearms Smuggling Working Group, op.cit.

[13] Firearms Division, National Police Agency, Firearms Control in Japan, 1996

[13] David M. Kennedy, Anne M. Piehl and Anthony A. Braga, Youth Violence in Boston: Gun Markets, Serious Youth Offenders and a Use Reduction Strategy, in Law and Contemporary Problems, Winter 1996, Vol. 59 (1); pp. 147-196 showed 2/3 of guns recovered came from outside Massachusetts with Georgia leading as a source.

households where firearms are present (or various surrogate measures)[14] or the ease with which individuals can obtain firearms and ammunition in a given place at a given time. Many of the research projects examining the accessibility thesis have conducted comparisons of homes where firearms are present to those where they are not and concluded that the risk of homicide and suicide increase dramatically when guns are present, particularly if they are kept loaded and unlocked.[15] Canada has always had stronger firearms regulation than the United States, particularly with respect to handguns, and much lower rates of murders and crime with firearms. [16] One study which examined the link between gun ownership rates and firearms deaths within Canadian provinces, the United States, England/Wales and Australia concluded that 92% of the variance in death rates was explained by access to firearms in those areas.[17] The international experience with firearms regulation and comparative mortality statistics tend to reinforce the thesis that there is a link between access to firearms and firearm death in industrialized nations although there are issues around uniform reporting and other variables that must be addressed. For example, a review of 13 countries showed that there was a strong correlation between gun ownership, homicide and suicide rates.[18] In another study, based on a standardized survey of victimisation in fifty-four countries, gun ownership was significantly related to both the level of robberies and the level of

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[14]Ted Miller and Mark Cohen, Costs of Gunshot and Cut/Stab Wounds in the United States, with Some Canadian Comparisons, Accid. Anal. and Prev., 1997 Vol.29, No. 3, pp. 329 -341.

[15] AL Kellerman et. al, Gun ownership as a risk factor for homicide in the home, New England Journal of Medicine, 1993; 329:1084-1091. Kellerman and his colleagues, for example, concluded that the homicide of a family member was 2.7 times more likely to occur in a home with a firearm than in homes without guns. After accounting for several independent risk factors, another study concluded that keeping one or more firearms was associated with a 4.8 fold increased risk of suicide in the home. A.L. Kellerman et. al. Suicide in the home in relation to gun ownership, New England Journal of Medicine, 1992; 327; 467-472. The risks increase, particularly for adolescents, where the guns were kept loaded and unlocked. D.A. Brent et. al. The presence and accessibility of Firearms in the homes of adolescent suicides. JAMA 1991; 266:2989-2995.

[16] While there are other factors affecting murder, suicide and unintentional injury rates, a comparison of data in Canada and the United States suggests that access to handguns may play a role. While the murder rate without guns in the US is roughly equivalent (1.3 times) that of Canada, the murder rate with handguns is 15 times the Canadian rate (Table 1).Kwing Hung, op.cit.; FBI Uniform Crime Reporting Data

[17] Ted Miller and Mark Cohen, op. cit.

[18]Martin Killias, Gun Ownership, Suicide and Homicide: An International Perspective, Canadian Medical Association Journal. April, 1993. Martin Killias, Gun Ownership, Suicide and Homicide: An International Perspective, United Nations International Crime & Justice Research Institute/UNICRI. Understanding Crime. Acts of the International Conference, Rome, 18-20 Nov. 1992. and both homicide with a gun and overall homicide rates (Killias excluded Northern Ireland from the analysis because of the level of civil unrest). In an analysis of 14 countries the correlation between gun ownership and gun suicide was also significant as was the correlation of gun ownership with overall suicide rates. Killias found no evidence of a compensation process whereby other means were substituted with firearms.

sexual assaults. The relationship between levels of gun ownership and threats/assaults with a gun is also strong. [19] A review of international approaches to firearms regulation also indicates that industrialized countries with lower rates of firearm ownership and lower rates of firearm death than Canada also tend to have higher levels of regulation (See Table 1). Most developed countries have strict laws governing licensing and registration of all firearms and very strict controls on handguns.[20]Comparisons of regions with strong regulations to areas with weak regulations within the same country have also tended to support the notion that gun control works where other factors are more or less the same. For example, Australian states with registration had significantly lower rates of homicide and suicide with firearms than states without registration of firearms.[21]This relationship breaks down somewhat, however, in countries without effective infrastructures for controlling the flow of illegal guns - for example - Jamaica, South Africa etc. or Israel and Northern Ireland where civil conflicts fuel the death rates.

Although there is less empirical evidence and more problems controlling variables, evidence to support the accessibility thesis is not confined to industrialized countries. Van Dijk also concluded that high levels of gun ownership such as in the USA, the former Yugoslavia, South Africa and several Latin American countries are strongly related to higher levels of violence generally. While more research could illuminate the interaction between a range of factors which influence firearms violence and suicide, there are strong suggestions of an important relationship between access to firearms, the firearm death rates and crime.

Many working on peacebuilding argue that the link between violence levels and access to weapons is self evident. The small arms problem is far more complex and included some classes of weapons but there are many common themes:[22]

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[19] Jan J.M. van Dijk, Criminal Victimisation and Victim Empowerment in an International Perspective, Ninth International Symposium on Victimology, Amsterdam, the Netherlands, August 25-29, 1997. Pat Mayhew and Jan J.M. van Dijk, Criminal Victimization in Eleven Industrialized Countries, WODC, 1997.

[20] Rates of Households with firearms and Firearms Deaths for most countries are from Martin Killias, op.cit. who cites 1989 figures from UN interregional study; New Zealand figures are from Martin Killias, "Gun Ownership, Suicide and Homicide: An International Perspective" United Nations International Crime & Justice Research Institute/UNICRI. Understanding Crime. Acts of the International Conference, Rome, 18-20 Nov. 1992. Japanese numbers are from Firearms Division, National Police Agency, Firearms Control in Japan, 1996 and figures are for 1995.

[21] Australian Institute of Criminology, Violent deaths and Firearms in Australia: Data and Trends to 1994 cited in Sir Thomas Thorp Review of Firearms Control in New Zealand, June 1997.

[22] There are a wide range of sources examining the problem: Michael Renner, Small Arms Big Impact: the Next Challenge of Disarmament, Worldwatch, October 1997. Jeffrey Boutwell,

> The proliferation of light weapons, particularly small arms in their region plays an enabling effect not only in the execution of war but also in the ills associated with it, in most cases the disarming of combatants has been at best half hearted. Strategies for the comprehensive collection and destruction of weapons is either conspicuously absent or severely limited in scope. The weapons of one war are simply recycled until the next Peace and disarmament processes must address these issues.[23]

The costs of firearms in the context of peacekeeping are tremendous. The human costs of unrestrained arms transfers including increased civilian casualties, growing number of children both as combatants and victims increased costs of medical care. It also has long term consequences in terms of fostering a "culture of violence" the escalation of the arms race where widespread criminality and the breakdown of legal norms. According to the Red Cross, common distinguishing characteristics of intra state conflicts is that more deaths occur from small arms and light weapons than from major conventional weapons. "The proliferation of these weapons has facilitated an increase in the scale and duration of conflict in many States and in some cases has made the outbreak of armed violence more likely"[24]

The recent United Nations Crime Prevention and Criminal Justice resolution recognises that uncontrolled availability of small arms and light weapons is "Not only fueling conflicts but exacerbating violence and criminality".

The characteristics of the problem varies from region to region: Studies have been undertaken in South Asia[25] South Africa[26] Central America[27] and specific countries have reinforced the

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Michael Klare and Laura Reed eds., Lethal Commerce: The Global Trade in Small Arms and Light Weapons, Cambridge Committee on International and Security Studies, American Academy of Arts and Sciences, 1995. Michael Klare and David Andersen, A Scourge of Guns: The Diffusion of Small Arms and Light Weapons in Latin America, Washington DC, Arms Sales Monitoring Project, Federation of American Scientists, August 1996. Chris Smith, Peter Batchelor and Jakkie Potgieter, Small Arms Management and Peacekeeping in Southern Africa, UNIDIR Disarmament and Conflict Resolution Project, UNIDIR Disarmament and Conflict Resolution Project, UN, 1996., Natalie Goldring, BASIC, "Bridging the Gap: Light and Major Conventional Weapons in Recent Conflicts", International Studies Association, Toronto, ON March 1997.

[23] BASIC, Africa, op. cit.

[24] International Committee of the Red Cross, Arms Transfers and International Humanitarian Law, September, 1997.

[25] Chris Smith, The impact, op. cit.

[26] BASIC, op. cit.

[27] BASIC, Breaking the Cycle of Violence: Light Weapons Destruction in Central America, December 1997.

importance of controlling light weapons and small arms. They can change the balance of power, they may raise the level of violence and even if in the short term their use is for self defence the long term effect may be to limit if not negate other ways of addressing conflict resolution by peaceful means. In Central America, for example, the UN has been very successful in peacekeeping in the area but with the proliferation of light weapons there can be little change of long term stability and reconciliation. In Nicaragua, Honduras, El Salvador, Guatemala and Haiti UN efforts while initially successful, failed to eliminate the destabilising effects because of the large number of small arms in circulation. The confiscated weapons were used to re-arm existing forces and then are used in internal violence and conflict or they are stolen.[28]

Given the recognition that access to firearms is a factor in conflict and crime, there are a variety of measures which have been undertaken to control them. Supply side controls assume that there is a link between access and misuse, and that controlling supply affects use and misuse. While highly motivated individuals will always get firearms, provided they have the necessary resources, supply side analysts assume that they can reduce misuse. In addition, as firearms tend to flow from unregulated to regulated areas and few countries have absolutely secure borders, international coordination is essential.

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[28] Ibid.

5. SOURCES OF FIREARMS/SMALL ARMS

Given that access to firearms is one of the identified problems, understanding the supply of firearms is necessary in constructing an appropriate solution. Although more research is needed to track the movement of guns, firearms used in crime, injury or conflict, come from three principal sources:

- legal firearms which are misused (by civilians, by military, by police)

- legal firearms which are sold/stolen illegally (theft/sales from legal owners to "criminals", theft/sales from military to civilians, The "gray market", etc.)

- illegally manufactured and traded Firearms (underground markets, drug trade etc.)

Once again there are significant regional differences. In Canada the principal source of firearms used in homicide, suicide and accidents as well as crime are rifles and shotguns, most of which were at one time legally owned. Most of handguns recovered in crime are smuggled, primarily from the United States. In contrast, in the United States and Finland where almost 50% of households have firearms, there is little smuggling. In the US, most of the firearms used to kill are handguns while in Finland they are rifles and shotguns. In areas of conflict, military weapons are a major problem. Countries such as Brazil, South Africa, Jamaica, India, and Ecuador report significant problems with smuggled firearms.[29] Just as the weapons used in crime come from a variety of sources, small arms move into areas of conflict in a variety of legal, covert and illegal ways including: government and private sales, technology transfers, covert transfers, black market sales, theft of government and privately owned arms and exchanges between criminal and insurgent organizations. [30]

The European Union is also a significant exporter of arms accounting for up to 30% of the global exports to the developing world. EU countries are also significant transfer points. Human Rights

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29 UN Commission on Crime Prevention and Criminal Justice, op.cit.

30 Chris Smith op.cit., Tara Kartha, Controlling the Black and Grey markets in Small Arms in South Asia, 1997. They emphasize the link between the drug trade and organized criminals and militants and suggest that devising controls on the weapons trade would at least reduce the lethality of other criminal enterprises which coexist with arms traffickers and indeed form a symbiotic relationship. Black market deals are taken to be those where the primary objective is commercial. They function at various levels.

Watch documented the "seemingly unstoppable flow of arms to all sides in the conflict in Burundi" with arms suppliers including: China, France, North Korea and the Russian Federation, Rwanda Tanzania, Uganda and the United States. Belgium and South Africa have been particularly significant transshipment countries and bases of activity for arms traders. On a world scale, however, the United States and Former Soviet Union are among the largest sources of weapons.[31]

In the context of crime, it is well-understood that legal weapons acquired for legitimate purposes are often sold or stolen for illegal or illegitimate purposes. Many firearms recovered in crime around the world originate in the United States. For example, in 1994 foreign governments reported 6238 unlawfully acquired US original firearms to the Bureau of Alcohol Tobacco and Firearms. Over half of them were discovered in Mexico.[32] American made guns also account for the majority of handguns recovered in crime in Canada and 30% of the guns recovered in crime in Japan.[33]

In post-conflict areas, weapons may represent one of the few forms of hard currency and flow from legal sources to illegal purposes.[34] Government agencies are often major suppliers in "the gray market". The "gray market" is defined as that portion of the illegal gun trade where the state is actually involved as a supplier or where the state has turned a blind eye to the problem. Often the motivation is partly commercial and partly political. For example, during the Afghanistan conflict, the CIA funneled weapons to Pakistan in order to ensure that it could mount a defence against the Soviets.[35] In Angola, the government distributed large quantities of arms to civilians during the

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[31] Kathi Austin and Joost Hiltermann, Stoking the Fires: Military Assistance and Arms Trafficking in Burundi, New York, 1997 .

[32] Cited in Lora Lumpe, The Evolution of US Policy on Small/Light Arms, 1997. The channels of supply by which arms are exported abroad include:
- government negotiated transfers
- direct sales from arms manufacturers or middlemen
- grant transfers of surplus Pentagon arms
- covert government run supply operations
- illicit exports of weapons

While Lumpe is preoccupied with transfers to conflict areas, particularly North South flows, these same weapons are fueling crime in many industrialized countries including Canada and Japan. She maintains that the recent OAS agreement (discussed below) will go some way to addressing the problem.

[33] National Police Agency, op. cit.

[34] Kartha, op.cit.

[35] Chris Smith, South Asia, op cit.

course of civil wars which then fuel crime and conflict.[36]

The illegal or "black market" operates at many levels For example, the Pakistan/Afghanistan region continues to be the largest source of weapons for most militant/criminal groups in South Asia. Surplus weapons from the conflicts in Cambodia, Myanmar, and in some cases, China, are trafficked along with drugs.[37]

The process of managing arms in the context of peacebuilding is extraordinarily complex. In principle, there is a belief that reducing access to weapons and removing them during the course of peacebuilding is critical. Several UN mandates address this process.[38]

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36 BASIC, Africa, op.cit.
37 Chris Smith, op. cit.
38 Tara Kartha, op.cit.

6. CURRENT APPROACHES

There are parallels between the approaches to control firearms and small arms and many recognize the links between them.

> In formulating policies at a national, regional or global level to address the proliferation of light weapons, the issue be seen as one of gun control and therefore left to the criminal justice system or one that is political in nature. Both types of approaches are most certainly required.[39]

Those concerned with crime and injury prevention as well as those focused on peacebuilding recognize the importance of addressing the root causes of violence which fuels the demand for firearms. At the same time, they stress the importance of controlling access to firearms and of controlling the supply of firearms from manufacture through sale, possession and transfer. In addition, there are efforts in the context of crime prevention, injury prevention and peacebuilding to remove unneeded firearms from circulation. There is also recognition of the importance of effective implementation measures.

Domestic Controls on Firearms

In the context of public health and crime prevention the focus is on controlling the sale and possession of firearms by those believed to present a risk to themselves or others. Regulation is a compromise approach to allowing products which are inherently dangerous to be used under certain circumstances. Regulations reduce casual ownership by increasing the barriers to obtaining firearms. They are also intended to reduce the risks of firearm ownership by improving screening processes.[40] According to the UN Study,[41] most countries allow firearms ownership for:

- hunting for sport or food
- target shooting
- collection
- protection of person or property
- private security

At the same time they implement a wide range of screening processes in an effort to keep firearms from individuals who pose a risk to themselves or others. These measures include:

- identification

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[39] Chris Smith op cit., Goldring also makes the connection in her paper 'Links between domestic laws and international light weapons control, December 1997 as does Michael Renner op.cit.

[40] P. Culross, Legislative Strategies to address firearm violence and injury, Journal of Family Practice 1996; 42:15-17.

[41] United Nations Crime Prevention and Criminal Justice Commission, op.cit.

- references
- training
- fees
- background checks
- genuine reason
- acquisition
- photo
- CV
- classes
- storage information

The grounds for prohibiting or restricting firearms acquisition or ownership may include:
- citizenship
- age
- criminal record
- mental illness
- domestic violence

Many countries prohibit or severely restrict access to certain types of firearms where the risk is considered to outweigh the utility. For example, Canada prohibited fully automatic weapons in 1979, semi-automatic weapons which could be converted to fully automatic fire in 1991 and semi automatic versions of military weapons in 1995. In almost all cases, current owners were "grandfathered" or allowed to keep their weapons under certain conditions. Great Britain banned 90% of handguns in February 1997 and the remaining 10% with the change in government in June, 1997. In Great Britain owners were entitled to compensation but possession of the prohibited guns became illegal. Similarly, Australia banned semiautomatic firearms and shotguns except for individuals who could demonstrate "good reason" for owning them and the state bought back more than 500,000 guns.

There are a variety of ways in which barriers can been increased between individuals and firearms to prevent impulsive use and unauthorized access. Increasingly in the US attention is being focused on technological changes to reduce unauthorized access. [42] Regulations to encourage safe storage practices increase barriers through the use of locked containers, trigger locks, disabling firearms and separating ammunition from the gun are standard in most industrialized countries. However, they are the exception, not the rule in the United States.[43]

Measures have also been undertaken to reduce demand for firearms by increasing awareness of the

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[42] G. J. Wintemute, The Relationship between firearm design and firearm violence: handguns in the 1990's, JAMA, 1996, 225: 1749-1753.

[43] Peter Cummings, David Grossman, Frederick Rivara, Thomas Koepsell, State Gun Safe Storage Laws and Child Mortality Due to Firearms, JAMA, October 1, 1997, Vol. 278, 13.

risks they pose, particularly in the home,[44] and developing means such as amnesties and buybacks to encourage individuals to rid themselves of unwanted or unneeded firearms.[45] Educational programs have also focused on increasing awareness of safe practices and compliance with them.[46]

Regulatory restrictions and litigation have also been used to encourage suppliers of firearms to control sales and be more responsible.[47]

Many countries maintain information systems for owners and their firearms. Often these systems are computerized and centrally maintained. Many countries, including the US, Canada, Australia and Great Britain are in the process of upgrading these systems.

The efforts in the United States to understand the problems of firearms death and injury, and measures to reduce it, have been well-documented.[48] However, relatively little has been published on international efforts to control firearms. The International Study on Firearm Regulation prepared for the United Nations Commission on Crime Prevention and Criminal Justice indicated that of the countries responding to the survey, more than half indicated that they were in the process of undertaking reforms to their firearms regulations. Australia, Canada, Czech Republic, Estonia and the United Kingdom have reforms in progress. Major legislative reform is under discussion in Brazil, Denmark, Finland, India, Jamaica, Poland, South Africa and New Zealand.[49]

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[44] Public programs to discourage keeping guns in the home have been extensive in the US. For example, Project Lifeline is a public service campaign of the HELP Network, Physicians for Social Responsibility and the Centre to Prevent Handgun Violence. The advertisements show a handgun pointed out from a picture with the caption "The person most likely to kill you with a handgun already has the keys to your house". The Nation's Health, November 1996.

[45] The impact of these programs has been questioned. C.M. Callahan, F.P. Rivara, T.D. Koepsell, Money for guns: evaluation of the Seattle buy-back program, Public Health Reports, 1994; 109:472-477. See also M.T. Plotkin, ed., Under Fire: Gun Buy-backs, Exchanges and Amnesty Programs. Washington: Police Executive Research Forum, 1996. They may, however, have educational effects which have not been measured.

[46] R. J. Flinn, L.G. Allen, Trigger locks and Firearm safety: one trauma center's prevention campaign, Journal of Emergency Nursing, 1995; 21:296-298.

[47] Center to Prevent Handgun Violence Legal Action Project. Outline of Gun Manufacture and Seller Liability Issues, Washington DC, 1995.

[48] See for example, Krista Robinson, et. al. Firearm Violence: an Annotated Bibliography, John Hopkins University, Centre for Gun Policy and Research, August 1997 which, regrettably has little international research.

[49] United Nations Commission On Crime Prevention and Criminal Justice, op.cit.

Links between Domestic and International Regulation

However, despite the best efforts to control firearms domestically, firearms tend to flow from unregulated to regulated areas. Smuggled firearms are a problem in many jurisdictions and US-made guns are one of the principal sources of firearms recovered in crime in Canada, Mexico, and Japan. Weak domestic controls also fuel the flow of guns to areas of conflict. For example, Lumpe documents the problem of "straw purchasers" being used to buy guns legally in the US where there are few controls of firearms acquisition and only three states have "one gun a month" restrictions.[50]

The link between domestic and international controls is underscored by the recent United National Crime Prevention and Criminal Justice Commission's resolution. While it explicitly recognizes national sovereignty, it emphasizes the need for common standards and encourages countries which have not already done so to implement firearms regulations which meet minimum standards in terms of licensing, safe storage and tracking. At the May 1997 meeting of the United Nations Crime Prevention and Criminal Justice Commission, a resolution sponsored by 33 countries was endorsed. The resolution included the following points:

> 4. Requests the Secretary-General to promote, within existing resources, technical cooperation projects that recognize the relevance of firearm regulation in addressing violence against women, in promoting justice for victims of crime and in addressing the problem of children and youth as victims and perpetrators of crime and in re-establishing or strengthening the rule of law in post-conflict peace-keeping projects;
> 5. Encourages Member States to consider, where they have not yet done so, regulatory approaches to the civilian use of firearms that include the following common elements;
> (a)Regulations relating to firearm safety and storage;
> (b)Appropriate penalties and/or administrative sanctions for offenses involving the misuse or unlawful possession of firearms;
> (c)Mitigation of, or exemption from, criminal responsibility, amnesty or similar programmes that individual Member States determine to be appropriate to encourage citizens to surrender illegal, unsafe or unwanted firearms;
> (d)A licensing system, inter alia, including the licensing of firearm businesses, to ensure that firearms are not distributed to persons convicted of serious crimes or other persons who are prohibited under the laws of respective Member States from owning or possessing firearms;
> (e)A record-keeping system for firearms, inter alia, including a system for the commercial distribution of firearms and a requirement for appropriate marking of firearms at manufacture and at import, to assist criminal investigations, discourage theft and ensure that firearms are distributed only to persons who may lawfully own or possess firearms under the laws of the respective Member States.[51]

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[50] Lora Lumpe, op cit.

[51] United Nations Commission On Crime Prevention And Criminal Justice, op.cit.

While these measures are aimed at crime prevention clearly they also have implications for preventing the flow of firearms to areas of conflict.

Embargoes

The domestic firearms controls have international parallels and implications. In the context of peacekeeping, there are embargoes which prohibit the sale of arms to particular countries. The international code of conduct on arms transfers, proposed by the Nobel Peace Laureates, states that countries will not sell or transfer arms if there is risk of them being used in grave violations of human rights in the coutnry of final destination.[52]

> Regardless of any legal injunctions stemming from international arms embargoes, states have a moral responsibility not to provide arms or other forms of military assistance directly or indirectly to governments or insurgent forces that engage in a pattern of gross abuses of international human rights and humanitarian law. The international community has an obligation to enact strict controls on the flow of arms, ammunition using am array of policy options including the creation of voluntary arms registers and international arms embargoes under Chapter VII of the UN Charter. In addition, individual governments should take unilateral action to prevent their territories from being used as a conduit for arms shipments and to stop their nationals from selling weapons or their military services in a conflict marked by serious abuses. [53]

EU countries already commonly implement arms embargoes to countries with human rights violations such as Burma, China, Nigeria, and Sudan but a recognized code of conduct is needed.[54]

Controls on Manufacture, Sales, and Transfers

Most countries control the manufacture of firearms, components and ammunition and most have some controls on their import and export. The effectiveness of controls on import and export varies significantly however and more is required. Stronger controls are also required over export licensing, monitoring, information exchange, review and enforcement. Marking all weapons at

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52 Paul Eavis, Saferworld, Internatonal Efforts to Control Small Arms and Light Weapons: The EU Export Controls and Illicit Traffic, 1996.

53 Kathi Austin and Joost Hiltermann, Stoking the Fires: Military Assistance And Arms Trafficking in Burundi, New York, 1997

54 Owen Greene, Tackling light weapons proliferation: Issues and Priorities for the EU, April 1997 Saferworld Virginia Gamba ISS http://africca.cis.co.za
International Red Cross, Arms Transfers and International Humanitarian Law, Geneva Sept 1997 Council of Delegates, Seville
Carnegie Commission Corporation http://www.ccpdc.org

point of production, end use certification, and brokering of all deals have also been proposed.[55]

More transparent and effective controls on the manufacture, sale and transfer of firearms are critical to controlling the flow of firearms for criminal activities and conflict.[56] The recent OAS (CICAD) agreement and model regulation is one example of an effort to establish international standards but significant resources are required to implement them.

The Organization of American States(OAS) Inter-American Convention Against the Illegal manufacturing and Trafficking of Firearms, Ammunition, Explosives and Other Related Materials, was signed by 34 countries. It identified the need to develop additional methods to secure borders in order to fight transnational crime, drug-trafficking and terrorism.

The Convention is supported by:
- model regulations for the movement of firearms, their components and ammunition developed by the Committee Inter American Control Abuse of Drugs (CICAD)
- import and export controls
- strong standardized processes for the legal trade in order to combat the illicit trade
- need to have greater transparency for commercial shipments and to provide a "paper trail"

The Model Regulation obligations include:
- each state will define firearms, parts, or components can be imported or exported or transmitted through their countries
- import certificate for volume, type, classification, serial numbers,
- export certificates must include serial number for firearms and ammunition at time of shipment
- need for transit pre-authorization
- must keep records and identify central point of contact
- computerized records where possible
- cannot make changes to import or export certificates but must reapply

These do not, however, apply to state to state transactions. The OAS Convention contains a number of measures designed to enhance international cooperation and supply law enforcement with information to support tracing. While the aim of these regulations is to reduce the illegal trafficking of firearms in the context of crime they have significant implications for controlling the trafficking of firearms to conflict areas. A similar model is being proposed by the P-8, but at this time it is unclear whether or not it will be binding.

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[55] Owen Greene, op cit., Saferworld Virginia Gamba ISS http://africa.cis.co.za
International Red Cross, Arms Transfers and International Humanitarian Law, Geneva Sept 1997
Council of Delegates, Seville
Carnegie Commission Corporation http://www.ccpdc.org

[56] This point is made by Natalie Goldring, Op cit., Michael Renner, op. cit. and others.

The UN Crime Prevention and Criminal Justice Commission, the OAS agreement and other measures aimed at controlling illegal trafficking, are paralleled in some respects in the UN Small Arms Panel Recommendations and UN Register of Conventional Arms. The UN Small Arms Panel Recommendations (September 1997) there are many links to domestic crime prevention.

- All states should determine in their national laws and regulations which arms should be permitted for civilian possession and the conditions under which they can be used
- All weapons which are not under legal civilian possession and which are not required for the purposes of national defense and internal security should be collected and destroyed by states as expeditiously as possible
- All states should ensure that they have in place adequate laws, regulations and administrative procedures to exercise effective control over the legal possession of small arms and light weapons and over their transfer
- States emerging from conflict should impose or re-impose licensing requirements for civilian possession of these weapons on their territory
- All states should exercise restraint with respect to the transfer of surplus military weapons and consider the possibility of destroying such weapons
- All states should ensure the safeguarding of such weapons against lost through theft or corruption, in particular from storage facilitates.

The UN Register of Conventional Arms which was aimed at controlling the flow of firearms to areas of conflict in many ways echoes the recommendations for domestic firearms regulations including controls over:

- legitimate flow of arms
- legitimate owners of weapons
- legitimate manufacturers and arms traders
- register of weapons with an international serial number upon manufacture
- record of weapons that have been seized, collected and destroyed
- clarification of which types of weapons are strictly for military or police purposes

Removing Firearms from Circulation: Amnesties and Buy Backs

It is generally recognized that, while firearms are used for legitimate purposes, there are risks associated with high levels of firearms ownership and particularly with keeping them in homes. In Canada, for example, it is known that approximately half the firearms in Canadian homes have not been used in the past year and governments at several levels have undertaken amnesty programs to encourage individuals to turn in unwanted or unneeded firearms for destruction. In other countries such as the United Kingdom and Australia, class of firearms have been prohibited and mandatory buy back schemes have been implemented. In the United States a number of voluntary buyback schemes have also been instituted, although the effectiveness of these programs may be as much educational as it is practical in terms of significantly affecting the supply of firearms.[57]

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[57] See various citations in Krista Robinson etc. al., Firearm Violence, Annotated Bibliography, John Hopkins Center for Gun Policy Research, 1997.

Just as amnesties and buybacks have been implemented in industrialized nations to prevent crime and reduce injury they have been implemented, in the context of conflict or post conflict peacekeeping efforts, with varying degrees of success. Post conflict weapons must be taken permanently out of circulation and surplus weapons should be collected and destroyed. Weapon collection and destruction have practical as well as symbolic effects.

Some programs have been considered effective. For example, Nicaragua benefited from gun buy back programs. A special disarmament brigades made up of officials from both sides of the conflict offered cash and food for weapons. An Italian micro enterprise program collected weapons and within one year a total of 64,(XX) weapons were bought back and 78,(XX) were publicly destroyed. Now attempts are focusing on a "land for weapons" program.[58]

However the reality of implementing the objectives is often quite different. Case studies suggest that when the collection and destruction of light weapons is not sufficiently prioritized it has severely undermined peace keeping efforts. For example, it has been suggested that the failure of projects in Africa has been a result of:

- Inadequate mandate or insufficient resources (e.g. Angola, Liberia)
- Absence of inclusive atmosphere, i.e. multi-track approach (e.g. Somalia and Angola)
- Lack of impartiality, fairness and dimness of peace brokers (e.g. Somalia)
- Failure to adopt a so-called security first approach which demilitarization is accompanied by a socio economic package to assist in societal reintegration and address the root causes of conflict.[59]

It has been suggested that efforts in Haiti were ineffective because Canadian forces were unenthusiastic about weapons collection and destruction.[60]

The United Nations Transitional Authority in Cambodia was given a broad mandate including the disarmament and demobilisation of at least 70% of the warring factions to create a secure and neutral political environment. The implementation process, however, was fraught with problems and during the election process, some arms were handed back. It has been suggested that the failure of the mission was a result of inadequate attention to the operational aspects of the process and that as a result unrealistic objectives were established without regard to the operational reality.[61] Some analysts maintain that "microdisarmamment" buy backs and amnesties should be

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58 BASIC, Breaking the Cycle of Violence: Light Weapon Destruction in Central America, December 1997.

59 Chris Smith, op. cit.

60 BASIC, op cit.

61 Jianwei Wang, Managing Arms in the Peace Process: Cambodia, United Nations, 1996.

supported with soft loans and training schemes with adequate resources and evaluation. [62]

The Culture of Violence

Some have suggested that efforts to reduce gun death and injury must also consider primary demand. It has been suggested that "gun culture" is largely an American construct[63] which is reinforced by the absence of effective laws and the normalization of violence. Much of the demand for guns, particularly military weapons and handguns which serve little practical purpose, may be fueled by violent movies and television which tends to link heroism with guns and violence.[64] In passing their recent firearms regulation law, the British were explicit: they saw in it a rejection of American style "gun culture." The suggestion that there is a link between values and gun violence is not new.

> By our readiness to allow arms to be purchased at will and fired at whim; by allowing our movies and television screens to teach our children that the hero is one who masters the art of shooting and the technique of killing... we have created an atmosphere in which violence and hatred have become popular past times
> - Martin Luther King, November, 1963 [65]

Gartner has suggested that the effects of gun control laws are, therefore, both direct and indirect because of the important interaction between laws and values: countries with stricter controls send a signal about the acceptability of violence in the same way legislation has been observed to have long term effects on other behaviours such as smoking, drunk driving, and drug abuse[66] Stricter controls on firearms both shape and reflect values.

The irony in this is that countries with strict controls, such as Great Britain, tend to be able to pass additional controls on firearms quickly and with relative ease. Countries without effective controls, such as the United States, have more guns and higher rates of gun death and injury. They also have effective opposition to stricter controls. This principle also operates within countries. For example, in Canada the strongest opposition to changes to the law came from Alberta, the province with the highest rate of gun ownership and one of the highest rates of gun-related death and injury.

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62 Tara Kartha, op.cit.

63 Andrew D. Herz., Gun Crazy: Constitutional False Consciousness and the Dereliction of Dialogic Responsibility, Boston University law Review 75,1, January 1995.

64 Andrew Herz, op.cit.

65 Cited in Firearm Violence in America: an annotated bibliography, Eastern Association for the Surgery of Trauma, Violence Prevention Task Force, Spring 1994.

66 Rosemary Gartner et. al, Homicide and the death penalty: a Cross national test of a deterrence hypothesis, Journal of Criminal Law and Criminology, 1984, 75 and Rosemary Gartner, Affidavit of Rosemary Gartner, Court of Appeal of Alberta, Vol. 39.

Considerable effort has been made by faith based organizations and women's groups to address the question of values. In the context of the industrialized world, efforts often focus on media representations of violence and masculinity.

Not only is the National Rifle Association countering efforts to control firearms in the US but it is exporting its ideology which equates firearms with freedom. One of the most disturbing presentations at the America's conference of the UN Commission on Crime Prevention and Criminal Justice was a presentation by a representative of the Brazilian police in which he stated that the reason that they would not keep firearms away form a blind man is because they live in a democracy and in a democracy men must be free to carry guns. Definitions of freedom and values are important albeit difficult dimensions of this debate. The Universal declaration on human rights defined freedom of speech, expression, freedom from fear and want. It did not suggest that the bearing of arms by civilians was a fundamental freedom.

Women and faith based organizations are far more willing to broach the issues of the culture of violence and values in conflict than some analysts. The importance of including women in the peacebuilding process has been emphasized. Certainly they have also played a major role in domestic gun control initiatives. Women are less frequently the users of guns but often the victims. But definitions of expertise - ie knowledge of guns - are often used to exclude them from the discussion. [67]

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[67] Kimberly Manning and Barbara Arneil, Gender and Peacebuilding: Report on the Round table, Canadian Foreign Policy, Vol.5 No. 1, 1997; Report of the Voice of Women Roundtable: Culture of Peace, Canadian Centre for Foreign Policy Development, January 30, 1997. See also Alberta Council of Women's Shelters, Factum and Affidavit, Alberta Court of Appeal, 1997 and W. Cukier; Ceasefire, CACSW, 1991.

7. THE POLITICS OF GUN CONTROL

No strategy can be constructed in a vacuum. Gun control, like other progressive measures, faces a diverse range of opponents. Quite apart from those who have different priorities for health from crime prevention and for peacebuilding, there are a range of groups which have a material interest in the arms trade, those who reject the efficacy of firearms control and those who embrace a firearms ideology which associates freedom with guns in a domestic and international context. The American firearms lobby and its international affiliates are probably the most active in this domain and have attempted to construct efforts of the United Nations to control firearms and small arms as part of an international conspiracy to ban civilian use of firearms. Perhaps because of the politicization of gun control, there has been considerable debate about the issue and about the appropriateness of current efforts to reduce gun death and injury. Some have suggested that firearms death and injury are not serious problems compared to other causes of death such as cancer.[68] Others have argued that there is little evidence to support the link between access to firearms and rates of death and have disputed the studies which propose that stricter controls on firearms reduce gun death and injury.[69] Some have suggested that increasing access to firearms through arming for self protection saves lives and reduces injury.[70] These studies have been critiqued for methodological problems. [71]Some of these studies have been dismissed as "political intervention"[72] and certainly there have been parallels drawn between the gun lobby and the tobacco lobby's efforts to shape the research agenda.[73] The gun lobby includes divergent groups with a range of agendas. They promote a dichotomy between "law-abiding gun owners" and the "criminal element" and maintain that controls on legally held guns will have no effect on illegal

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[68] Gary Mauser, Gun Control is not Crime Control, Fraser Forum, 1995.

[69] Gary Mauser, Are Firearms A Threat to Public Health? The Misuse of Science in Medical Research, (unpublished) presented to the Canadian Law Society Association, Brock University, June 1 - 4, 1996. Gary Kleck, Point Blank, Guns and Violence in America, Aldine de Gruyter, 1991.

[70] Gary Mauser, op.cit., J.R. Lott and D.B. Mustard, Crime Deterrence and the Right to Carry Concealed Handguns, Journal of Legal Studies, 1997, xxvi 1 - 68; Gary Kleck and M. Gertz, "Armed Resistance to Crime: The Prevalence and Nature of Self Defense with a Handgun", Journal of Criminal Law and Criminology, 1995, 86 (1) 150-187.

[71] D.W. Webster, J.S. Vernick, J. Ludwig, K.J. Lester, Flawed Gun Policy Research Could Endanger Public Safety, Am J. Pub. Health, 1997, 87 (6): 918-921. David Hemenway, Survey Research and Self defense gun use: An Exploration of extreme over estimates", Journal of Criminal Law and Criminology, in press.

[72] Neil Boyd, Bill C-68: Simple Problem, Complex Solution, Canadian Journal of Criminology, 1995.7

[73] Arthur J. Kellerman, Comment: Gunsmoke - Changing Public Attitudes towards Smoking and Firearms, American Journal of Public Health, June, 1997, Vol. 87, (6).

guns because "bad guys" will always get guns. Some have ideological objections to government intrusion or maintain that guns are a part of "freedom" or even the means of making society safer. Often they will present any form of firearms regulations as one step on the slippery slope to confiscation. For example the United Nations resolution on Crime Prevention and Criminal Justice was presented as part of the worldwide move to ban all guns.[74] Finally, there is the appeal to economic interests: "Guns are a billion dollar industry, the GST alone will cover the costs of injuries".[75]

The National Rifle Association is one of the most powerful lobbies in the world. Not only has it successfully prevented the United States from implementing effective firearms controls, in spite of the support of the majority of the country's citizens, but it has built links with gun lobby groups in many other countries and is actively fighting efforts to strengthen international controls through the United Nations.

For this reason, some groups, particularly in the United States, avoid linking small arms control with gun control which they regard as a matter of sovereignty. In addition, words common in the peacebuilding context such as "disarmament" have other connotations in the context of domestic gun control policy and are used to enflame opposition.

There are many methodological challenges in firearms regulation research. Cross-cultural comparisons are difficult because of the complexity of other variables such as cultural differences and the difficulty of demonstrating causal links. However these methodological challenges are not unique to the firearms regulation issue but affect many other complex crime prevention, public safety and health care issues. Perhaps what is unique to the firearms regulation issue is that a level of rigour and certainty is demanded which is absent in other less political debates. As Martin Killias said: "Unfortunately, any further waiting for more convincing evidence may jeopardize more rigorous approaches to gun control, since beyond a certain point significantly reducing the number of guns in civilians hands of private citizens becomes a hopeless task."[76]

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[74] Tanya Metaska, NRA Fundraising Letter, 1997.
[75] Senator Ron Ghitter, cited in Tim Harper, "Senator under fire on gun control stand", Toronto Star, September 15, 1995.
[76] Martin Killias, op.cit.
[77] For example, Ed, Laurence has proposed an international treaty to extend current efforts. Ed Laurence, The Light Weapons Problem: The Way Ahead, October 24, 1997. In addition, the Nobel Laureates proposals and others should be examined.

8. TOWARDS A CANADIAN STRATEGY

The links between the interventions suggested for crime/injury prevention and peacebuilding are striking and suggest that more information sharing and coordination is essential. To summarize the common elements, these international agreements suggest that an international strategy to reduce death and injury caused by firearms should include:

- Data collection and sharing
- Measures to reduce the demand for firearms/small arms by striking at the root causes of crime/conflict including social/economic development and values building
- Measures to control the supply of firearms/small arms
- Enforcement
- Implementation.

Table 3: Recommended Interventions

	Crime/Injury Prevention	Peace building
DATA COLLECTION/RESEARCH		
- Surveillance information	X crime/mortality	X conflict/mortality
- Information re. supply/types of weapons	X	X
- Information re. approaches/best practices		
- Information re. compliance	X	X
ADDRESSING THE ROOT CAUSES OR DEMAND		
Social and Economic Development	X	X
Values building - Counter culture of violence - Counter arming for self protection - Support conflict resolution and reconciliation	X	X
OPPORTUNITY REDUCTION: REDUCE THE SUPPLY OF FIREARMS		
Control manufacturing - Control production - Establish standards for production - Establish standards for identification/marking	X	X
Control who has access to firearms Controls on access to types of firearms	X - Civilian Licensing - Prevent civilian possession of military weapons	X - End User Certification - Embargoes

Track/register firearms/ ammunition - Track Production - Track Sales - Track Possession - Report Lost or Stolen - Track Transfers - Import/Export - Tracing recovered firearms	X - Safe Storage	X
Reduce Supply - Amnesties - Buy Back Programs - Confiscation	X	X
DETERRENCE/ENFORCEMENT		
- Policing - Penalties	X - Prohibitions	X - Embargoes
IMPLEMENTATION		
- Education/Training	X	X
- Infrastructure/Systems Development	X	X
- Administration	X	X

Although interest in controlling small arms has emerged following the success of the international campaign on land mines, there are important differences which cannot be over emphasized. Guns are not land mines and the issue is far more complex given that regulation, rather than banning, is the objective. The international context presents many new complexities in terms of firearms regulation. In addition to the variation in local conditions, the ability to define legitimate versus illegitimate purposes for guns is more complex and ideologically loaded on the international scale as is defining who should or should not have access to firearms.

A strategy to address the international problems of firearms and small arms should encompass the full range of problems and players. One of the difficulties in developing a comprehensive strategy is the - fragmented responsibilities and priorities among political leaders. In addition, the regional variations create dramatically different conditions in terms of the shape of the problem, the sources of the gun supply and the infrastructure in place to deal with the problem. Specific measures which are appropriate in industrialized countries with policing infrastructure and resources have more success in controlling the illegal flow of firearms.

Data Collection and Surveillance

There are significant gaps and inconsistencies in data available about the problem of small arms and firearms and the current status of efforts to control them internationally. Official sources in some countries are not accurate. The limitations of current data sources has been identified as a

problem in the recent UN study. As well, more information about current approaches to firearms regulation and small arms control, research on the effectiveness of different measures etc. are particularly important in light of the opponent's aggressive and well -financed efforts to prove controls do not work. As with land mines and gun control, there is a need to clearly define and articulate the costs of firearms/ small arms deaths and injuries. Putting a face to the statistics is key to building public awareness and support.

1. Support improved surveillance data collection on all aspects of the problem internationally.

2. Analyse situation and needs on a regional basis and identify strategies appropriate for regions/sectors.

3. Establish an accessible clearing house or network of researchers and institutions to build accessible and usable databases, references and lists such as:
a)Profiles on current laws and regulations on a country by country basis
b) Bibliography on key international research
c) Timely information on projects and best practices
d) Hot links to related sites
e) Secure links for strategy development, campaign planning and to track opposition to firearms
f) Identify gaps and address research priorities

Strengthen International Agreements and Controls

The key elements which link controls on firearms and small arms in the international context have been outlined above but include:,

- measures to address the demand
- controls on access and the supply of firearms
- measures to remove unneeded firearms from circulation
- support for enforcement and implementation

Significant progress has been made through a series of international agreements including the UN Crime Prevention and Criminal Justice Commission Resolution, the OAS agreement and the P-8 agreement and these should clearly be extended. Although designed to address the problem of crime, they contain the some of the key elements - for international controls on the movement of firearms - also essential to small arms control. However imperfect these measures may be they are important steps forward and we must move quickly to ensure they are not lost.

1. Strongly support current efforts and ensure adequate resources and priority to implementing UN proposals on crime prevention and criminal justice and OAS conventions.

2. Recognize the importance of resources for implementation. Devote resources to assisting countries in developing necessary infrastructure. Laws, regulations and conventions are merely words on paper. Canada must make it a priority to follow through on the recent UN resolutions as well as the OAS convention and help ensure appropriate resources are in place.

3. Consider other proposals and support them as appropriate.[77]

Building Linkages

The recent experience with land mines and with domestic firearms control in several contexts would suggest a number of critical success factors. Given the complexity of the issue, diverse stakeholders and range of interests must be addressed and champions are needed from across the political spectrum. A network or coalition of broadly based and diverse groups presents opportunities as well as challenges. Vertical and horizontal linkages are needed among groups working in different contexts.

There are a wide range of local, national and international Non Government Organizations with an interest in various aspects of firearms control. International health organizations such as the Centers for Disease Control and World Health Organization have identified violence as health problems and made injury prevention and women's health priorities. Relief agencies such as the International Red Cross, OXFAM and others must deal with the problems of weapons "on the ground". Peace building and faith based organizations such as Ploughshares, The Friends World Committee on Consultation, International Fellowship of Reconciliation (IFOR) have identified the need for new solutions. Domestic gun control organizations in Canada, the US, Great Britain, Australia, Japan, South Africa and New Zealand have expressed concerns about the global context. Specific sectors - police, women, crime prevention, victims and health - on a national and international basis have tackled aspects of the problem. The Coalition for Gun Control is one of the largest networks of NGOs linking over 350 organizations. Research and policy institutes such as the BASIC, Worldwatch and the Monterey Institute have made a range of policy recommendations and are mobilizing.

1. Coordinate information sharing among interested groups.

2. Build and support networks among NGOs within different regions and promote horizontal linkages among NGOs key in particular areas e.g,. commerce in Central America, Women in Brazil.

3. Build Canadian network which links key players in health, peace and crime prevention.

Values Building and Education

The role of the "culture of violence" and the gendered nature of gun ownership cannot be overlooked. Often the definitions of expertise rest on knowledge of firearms rather than prevention

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77 For example, Ed, Laurence has proposed an international treaty to extend current efforts. Ed Laurence, The Light Weapons Problem: The Way Ahead, October 24, 1997. In addition, the Nobel Laureates proposals and others should be examined.

and have the effect of excluding women.

1. Adequate participation of women must be assured.

2. Provide access to information and tools to support alternative approaches.

Coordinate Government Efforts

Fragmentation, duplication and overlap are problems to be avoided.

1. Establish roles and coordinate work of relevant departments - DFAIT, Health (children, women) Justice (crime) Solicitor General (policing), CIDA etc. and promote information sharing and coordination of efforts.